

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

NESTOR L. TAPIA MALAVE  
EMMA R. COLON FIGUEROA

DEBTOR(S)

CASE NO. 10-12017-BKT

CHAPTER 13

**NOTICE OF FILING OF AMENDED SCHEDULE "C"**

TO THE HONORABLE COURT:

**COME NOW** debtors in the above captioned case, through the undersigned attorney, and respectfully state and pray as follow:

1. Debtors respectfully submit amended Schedule "C" to take the correct exemption in the real property.
2. Attached to this motion debtor respectfully submit Amended Schedule "C".

**I CERTIFY** that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee, Alejandro Oliveras Rivera, Esq.; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants, debtors, Nestor L. Tapia Malave and Emma R. Colon Figueroa, in the above captioned case.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 16<sup>th</sup> day of February, 2011.

/s/ Roberto Figueroa Carrasquillo

ROBERTO FIGUEROA CARRASQUILLO

USDC #203614

PO BOX 186

CAGUAS PR 00726-0186

TEL NO (787)744-7699

FAX NO (787)746-5294

EMAIL: rfigueroa@prtc.net

IN RE TAPIA MALAVE, NESTOR LUIS & COLON FIGUEROA, EMMA ROSACase No. 10-12017-13

Debtor(s)

(If known)

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**Debtor elects the exemptions to which debtor is entitled under:  
(Check one box)☐ Check if debtor claims a homestead exemption that exceeds \$146,450. \*

- ☒ 11 U.S.C. § 522(b)(2)  
☐ 11 U.S.C. § 522(b)(3)

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
<b><u>SCHEDULE A - REAL PROPERTY</u></b>			
Residential Property located at Rincon Arenas Ward, Sector Valle Real in Cidra, Puerto Rico. This property consists of three (3) bedrooms, two (2) bathrooms, living room, dinning room, kitchen, garage and balcony.	11 USC § 522(d)(1)	23,000.00	136,000.00
<b><u>SCHEDULE B - PERSONAL PROPERTY</u></b>			
RG- Premier Bank Account: 2912 Savings	11 USC § 522(d)(5)	304.75	304.75
Misc. Household goods and furnishings	11 USC § 522(d)(3)	5,000.00	5,000.00
Clothes and personal effects	11 USC § 522(d)(3)	1,200.00	1,200.00
Inheritance Property- 50% Sucn. Emma M. Figueroa composed of 1 heir; other 50% is owned by widow Rafael Colon Cotto. This property is located at Rincon Ward, Sector Lomas in Cayey, Puerto Rico. Property consists of three (3) bedrooms, two (2) bathrooms, living room, dinning room, kitchen and garage. Value: \$70,000. Less Liquidation Costs (15%)= \$59,500. /2= \$29,750. (less widow usufruct \$9,916.67)= \$19,833.	11 USC § 522(d)(5) 11 USC § 522(d)(5)	1,995.25 9,200.00	19,833.00
Inheritances property- 50% Sucn. Carmen L. Malave composed of 4 heirs; other 50% is owned by widow Juan Alberto Tapia. This property is located at Reparto Montellano, A Street in Cayey, Puerto Rico. Property consists of five (5) bedrooms, two and a half (2.5) bathrooms, living room, dinning room, kitchen, garage and balcony. Value: \$120,000. Less Liquidation Costs (15%)= \$102,000. /2= \$51,000. (less widow usufruct \$6,800.)= \$44,200. /4= \$11,050.	11 USC § 522(d)(5)	11,050.00	11,050.00
2001 Dodge Caravan Mileage: 120,000.	11 USC § 522(d)(2)	3,800.00	3,800.00

\* Amount subject to adjustment on 4/1/13 and every three years thereafter with respect to cases commenced on or after the date of adjustment.

IN RE TAPIA MALAVE, NESTOR LUIS & COLON FIGUEROA, EMMA ROSA

Debtor(s)

Case No. 10-12017-13

(If known)

**DECLARATION CONCERNING DEBTOR'S SCHEDULES****DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 18 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: 2/16/2011 Signature: Nestor Luis Tapia Malave Debtor

Date: 2/16/2011 Signature: Emma Rosa Colon Figueroa (Joint Debtor, if any)  
**EMMA ROSA COLON FIGUEROA** [If joint case, both spouses must sign.]

**DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

Social Security No. (Required by 11 U.S.C. § 110.)

If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.

Address

Signature of Bankruptcy Petition Preparer

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the \_\_\_\_\_ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets (total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(Print or type name of individual signing on behalf of debtor)

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.